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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,196	06/05/2001	Brian A. Volkoff	10005660-1	5701

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EXAMINER

SHAH, NILESH R

ART UNIT	PAPER NUMBER
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2195

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,196

Applicant(s)

VOLKOFF ET AL.

Examiner

Nilesh Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 23-56 are presented for examination.
2. In view of the appeal brief filed on 5/03/05 PROSECUTION IS HEREBY REOPENED.
New grounds of rejections are set forth below.
To avoid abandonment of the application, appellant must exercise one of the following two options:
file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
request reinstatement of the appeal.
3. If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 23-56 are rejected under 35 U.S.C. 112, second paragraph, ms being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(a) The following claim language is not clearly define:

(i) As per claim 23, lines 2 and 5 it is unclear what the difference between a job request and a job ticket is? Both include content and data describing how the job is to be completed (i.e. does the job ticket encapsulate the job request?).

(ii) As per claim 44, lines 3 and 5 it is unclear what the difference between a job store and a job ticket service is? Both include content and data describing how the job is to be completed (i.e. does the job ticket encapsulate the job request, is a job store a queue?).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 23-25,28-32,35-38,42-44,48-51,54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motamed et al (6,519,053) (hereinafter Motamed) in view of Rosekrans et al (5,450,571) (hereinafter Rosekrans).

8. As per claim 23, Motamed teaches the invention substantially including a method for completing jobs, comprising: receiving a job request that includes content and data describing how the job is to be completed (col. 1 lines 19-44; col. 1 lines 60-65; col. 2 lines 5-21; col. 5 lines 60-65; col.8 lines 15-26; col. 8 lines 44-67);

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storing the content as one or more files(col. 1 lines 60-65; col. 2 lines 5-21; col. 5 lines 60 –65);

creating a job ticket associated with the content using the data describing how the job is to be completed, the job ticket describing various tasks that must be completed to complete the job (col. 19 lines 63-67;col. 2 lines 5-21; col. 5 lines 60 –65; col.8 lines 15 –26; col. 8 lines 44-67);

storing the job ticket (col. 1 lines 19-44; col. 1 lines 60-65; col. 2 lines 5-21).

9. Motamed does not specifically teach the use of assigning tasks to different processors.

However, it is noted on page 4 lines 21-24 of the application's specification a printer is defined as a processor. Hence, that will be the definition used.

10. Rosekrans teaches assigning a processor to complete one or more of the tasks of the job (col. 3 lines 1-10; col. 3 lines 39-67; col. 4 lines 25-37); and

enabling the processor to access a portion of the job ticket associated with the one or more tasks and to access a portion of the stored content upon which the one or more tasks are to be performed, such that the processor can complete the tasks to which the processor has been assigned (col. 6 lines 4-8; col. 4 lines 25-37).

11. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Motamed and Rosekrans because Rosekrans' method of having certain printers associated with certain job tickets would improve Motamed's system by having different printer with different capabilities.

12. As per claim 24, Motamed teaches a method wherein receiving a job request comprises receiving a job request from a front end service associated with a client (col. 5 lines 60 – 65; col. 8 lines 15 – 26; col. 8 lines 44-67).
13. As per claim 25, Rosekrans teaches a method wherein creating a job ticket comprises creating a job ticket that includes a job ID that associates the job ticket with the stored content (col. 4 lines 9-18).
14. As per claim 28, Rosekrans teaches a method wherein assigning a processor to complete one or more of the tasks comprises determining which processors are able and available to complete the one or more tasks (col. 3 lines 33-60; col. 6 lines 41-45; col. 6 lines 56-59).
15. As per claim 29, Rosekrans teaches a method wherein determining which processors are able and available comprises polling the processors (col. 10 lines 14-17; col. 6 lines 41-45; col. 6 lines 56-59; col. 3 lines 35-60).
16. As per claim 30, Rosekrans teaches a method wherein determining which processors are able and available comprises posting a job ticket notice that enable processors to bid on the one or more tasks (col. 6 lines 41-45; col. 6 lines 56-59; col. 4 lines 53-63; col. 3 lines 33-60).

17. As per claim 31, Rosekrans teaches a method wherein further comprising receiving bids to complete the one or more tasks and evaluating the bids (col. 10 lines 14-17; col. 6 lines 41-45; col. 6 lines 56-59).
18. As per claim 32, Motamed teaches a method wherein evaluating the bids comprises applying a standard set of criteria or applying an evaluation algorithm (col. 13 lines 1-30)
19. As per claim 35, Rosekrans teaches a method comprising assigning multiple different processors to complete different tasks of the job (col. 6 lines 4-8; col. 4 lines 25-37; col. 3 lines 1-10; col. 3 lines 39-67).
20. As per claim 36, Rosekrans teaches a method, further comprising enabling different processors to access portions of the job ticket and portions of the stored content associated with tasks to which they have been assigned (col. 6 lines 4-8; col. 4 lines 25-37; col. 3 lines 1-10; col. 3 lines 39-67).
21. As per claim 37, Rosekrans teaches a method wherein the different processors are provided access to separate branches of the job ticket associated with different tasks to be performed (fig. 1, 15-1, 15-2, 15-N; col. 3 lines 55-60; col. 2 lines 9-21).
22. As per claim 38, Rosekrans teaches a method wherein the different processors may access the separate branches simultaneously such that the job can be completed in

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parallel (fig. 1, 15-1,15-2,15-N; col. 3 lines 55-60; col. 2 lines 9-21; col. 10 lines 14-17; col. 6 lines 41-45; col. 6 lines 56-59).

23. As per claim 42, Rosekrans teaches a method further comprising controlling the order in which the different tasks of the job are completed and by which processor (col. 6 lines 4-8; col. 4 lines 25-37).

24. As per claim 43, Rosekrans teaches a method wherein the job is a print job, the content is content to be printed, and the processor is a provider that performs printing services (col. 2 lines 9-21).

25. As per claim 44, Motamed teaches a service center that receives job requests from clients, the service center comprising:

a job store that stores content of jobs that are to be completed and provides access to the content(col. 1 lines 19-44; col. 1 lines 60-65; col. 2 lines 5-21; col. 5 lines 60 –65; col.8 lines 15 – 26; col. 8 lines 44-67);

a job ticket service that stores job tickets that describe how the jobs are to be completed and provides access to the job tickets, the job tickets comprising one or more branches that are associated with one or more tasks that must be completed to complete the jobs, the job tickets being associated with the stored content (col. 19 lines 63-67;col. 2 lines 5-21; col. 5 lines 60 –65; col.8 lines 15 – 26; col. 8 lines 44-67).

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Rosekrans teaches a workflow controller that creates job tickets and assigns processors to complete the one or more tasks of the jobs based upon the processors' ability and availability to complete the one or more tasks(col. 4 lines 12-18; col. 4 lines 25-37; col. 3 lines 1-10; col. 3 lines 39-67); and wherein more than one assigned processor may complete a task of a given job such that multiple processors can be used to complete the same job (col. 4 lines 44-52; col. 5 lines 43-55).

26. Claims 48-51 are rejected based on the same rejection as claims 28-31 above.

27. Claim 54 is rejected based on the same rejection as claim 35 above.

28. Claims 55-56 are rejected based on the same rejection as claims 42-43 above.

Claim Rejections - 35 USC § 103

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

30. Claims 26-27,33-34,39-41,45-47,52-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motamed and Roserans as applied to claim 1 above, and further in view of Nevarez et al (6,389,421) (hereinafter Nevarez).

31. As per claim 26, Motamed teaches the invention including a method for completing jobs, comprising: receiving a job request that includes content and data describing how the job is to be completed (col. 1 lines 19-44; col. 1 lines 60-65; col. 2 lines 5-21; col. 5 lines 60-65; col. 8 lines 15-26; col. 8 lines 44-67).
32. Motamed and Rosekrans not specifically teach the use of encryption.
- Nevarez teaches creating an encrypted job ticket to which only authorized clients, including authorized processors can access the job ticket (col. 2 lines 54-62; col. 6 lines 30-35; col. 8 lines 23-30).
33. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Rosekrans and Motamed with Nevarez because Nevarez's use of encryption would secure Rosekrans job ticket system.
34. As per claim 27, Nevarez teaches a method wherein creating a job ticket comprises creating a job ticket that includes authorization and access data that indicate which processors can access the job ticket (col. 5 lines 35-55; col. 8 lines 53-65)
35. As per claim 33, Nevarez teaches a method wherein enabling a processor comprises confirming that the processor is authorized to access the portion of the job ticket and the portion of the stored content (col. 5 lines 35-55; col. 8 lines 53-65)

36. As per claim 34, Nevarez teaches a method wherein confirming that the processor is authorized comprises applying a public key encryption system (col. 2 lines 54-62; col. 6 lines 30-35).
37. As per claim 39, Nevarez teaches a method further comprising locking branches of the job ticket such that only certain processors can access certain branches of the job ticket (col. 5 lines 35-55; col. 8 lines 53-65)
38. As per claim 40, Nevarez teaches a method wherein locking branches comprises setting a lock or unlock flag for job ticket branches (col. 5 lines 35-55; col. 8 lines 53-65)
39. As per claim 41, Nevarez teaches a method wherein locking branches is performed when more than one processor is authorized to access the same branch so as to prevent concurrent access of that same branch (col. 6 lines 30-35; col. 10 lines 27-40).
40. As per claim 45, Nevarez teaches a service center wherein the job ticket service provides processors with access to the job tickets by providing access to branches of the job tickets that pertain to different tasks of the jobs (col. 2 lines 54-62; col. 6 lines 30-35).
41. As per claim 46, Nevarez teaches a service center wherein the job ticket service is capable of locking branches so that only authorized processors may access those branches (col. 8 lines 23-30).

42. As per claim 47, Nevarez teaches a service center wherein the work flow controller creates job tickets that include authorization and access data that indicate which processors can access the job ticket (col. 6 lines 30-35; col. 8 lines 23-30)
43. As per claim 52, Nevarez teaches a service center further comprising a authentication server that receives authentication information from processors and confirms that processors are authorized to access requested job tickets (col. 6 lines 30-35; col. 10 lines 27-40).
44. As per claim 53, Nevarez teaches a service center wherein the authentication server applies a public key encryption system to confirm processor authorization (col. 2 lines 54-62; col. 6 lines 30-35; col. 13 lines 46-54).

Conclusion

45. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nilesh Shah whose telephone number is (571)272-3771. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nilesh Shah
Examiner
Art Unit 2195

NS
August 15, 2005


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